

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUAN DIAZ-DIAZ AND
ARELI GARCIA,

Defendants.

8:21CR23

ORDER

This matter is before the court on the defendant, Areli Garcia's Unopposed Motion to Continue Trial [54]. Counsel states that additional time is needed for investigation and to resolve the matter short of trial. The government does not oppose the motion and the court has been advised that co-defendant, Juan Diaz-Diaz agrees to a continuance. For good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [54] is granted, in part as follows:

1. The jury trial, **for both defendants**, now set for January 3, 2022, is continued to **April 4, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and April 4, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

DATED: December 22, 2021

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge